

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

PRESERVE FRENCH CREEK, INC.,

Plaintiff,

v.

CORBIN HERMAN, and UNKNOWN  
OFFICIALS of CITY OF CUSTER,  
SOUTH DAKOTA; CITY OF CUSTER,  
SOUTH DAKOTA; HUNTER  
ROBERTS, and UNKNOWN  
OFFICIALS of DEPARTMENT OF  
AGRICULTURE AND NATURAL  
RESOURCES; SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE  
AND NATURAL RESOURCES; and  
DeWILD, GRANT, RECKERT AND  
ASSOCIATES COMPANY d/b/a DGR  
ENGINEERING,

Defendants.

Civ. No. 5:25-CV-05045

**STIPULATION BY ALL PARTIES**

Plaintiff Preserve French Creek, Inc., by and through Conor P. Casey of Beardsley, Jensen & Lee, Prof. L.L.C., and Defendants, Corbin Herman and Unknown Officials of City of Custer, South Dakota, and City of Custer, South Dakota, ("City of Custer Defendants") by and through Richard M. Williams of Gunderson, Palmer, Nelson & Ashmore, LLP, attorneys for City of Custer Defendants, and Defendants Hunter Roberts and Unknown Officials of Department of Agriculture and Natural Resources and South Dakota Department of Agriculture and Natural Resources (DANR) by and through their attorney, Jennifer Verleger, and Defendant DeWild, Grant, Reckert and

Associates Company d/b/a DGR Engineering (DGR) by and through its attorney, Gregory Wheeler, and file this Stipulation By All Parties.

Defendants City of Custer, DNAR and Hunter Roberts filed their Motions to Dismiss on June 30, 2025. Plaintiff is requesting a week extension to the deadline to file a response to the Motion to Dismiss, and to be allowed to file a single Omnibus Response to both Motions. Plaintiff has conferred with Defendants, who have no objection to this motion and as such, the parties respectfully request the Court sign the attached Order extending Plaintiff's deadline to respond to July 28, 2025.

Dated: July 14<sup>th</sup>, 2025.

BEARDSLEY, JENSEN & LEE, Prof.  
L.L.C.

By: 

Conor P. Casey  
Steven C. Beardsley  
*Plaintiff*  
4200 Beach Drive, Suite 3  
P.O. Box 9579  
Rapid City, SD 57709  
Telephone: (605) 721-2800  
E-mail: ccasey@blackhillslaw.com  
E-mail: sbeards@blackhillslaw.com

Dated: July 15, 2025.

GUNDERSON, PALMER, NELSON  
& ASHMORE, LLP

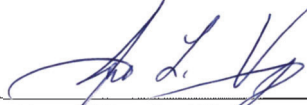
By: 

Richard M. Williams  
*Attorneys for City of Custer Defendants*  
506 Sixth Street  
P.O. Box 8045  
Rapid City, SD 57709  
Telephone: (605) 342-1078  
E-mail: rwilliams@gpna.com

Dated: July 14, 2025

MARTY J. JACKLEY  
ATTORNEY GENERAL

By: \_\_\_\_\_



Jennifer L. Verleger  
Assistant Attorney General  
1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501  
Telephone: (605) 773-2243  
Email: Jennifer.Verleger@state.sd.us  
*Attorneys for Hunter Roberts and  
Department of Agriculture and Natural  
Resources*

Dated: July 14, 2025

BOYCE LAW FIRM, LLP

By: 

Gregory H. Wheeler

Attorney for DeWild, Grant, Reckert and

Associates Company dlb/a DGR

Engineering 300 S. Main Avenue

Sioux Falls, SD 57104 Telephone: (605)

336.2424

E-mail: ghwheeler@boycelaw.com